

UPDATE: FCC Opens Regulatory Flexibility Act Proceeding

On December 18, 2008, the Federal Communications Commission released a Public Notice calling for comments on whether it should rescind or amend any of several rules due to their economic impact on “small entities.” The proceeding, which must be conducted each year in compliance with the Regulatory Flexibility Act, 5 U.S.C. Section 610, is slated to be resolved “during the next twelve months.”

The rules under review are too numerous to mention here. They range from rules governing forfeiture penalties to rules defining eligibility for participation in the Universal Service Schools and Libraries Program, and impact all types of communications media: wireline telephony, radio and television broadcasting, the cable industry, satellite Digital Audio Radio Service, and several wireless services.

Click [here](#) for the full Public Notice discussed in this Alert.

Update: Comments must be filed in this proceeding on or before March 2, 2009.

Please contact any of the attorneys in our [Communications Law Practice Group](#) if you would like further information about how the Public Notice may affect your company.

Womble Carlyle client alerts are intended to provide general information about significant legal developments and should not be construed as legal advice regarding any specific facts and circumstances, nor should they be construed as advertisements for legal services.

IRS CIRCULAR 230 NOTICE: *To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed in this communication (or in any attachment).*